

**Version
as at 5 April 2025**

Civil Aviation Amendment Act 1991

Public Act 1991 No 116
Date of assent 28 November 1991

Civil Aviation Amendment Act 1991: repealed, on 5 April 2025, pursuant to section 487 of the Civil Aviation Act 2023 (2023 No 10).

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An Act to amend the Civil Aviation Act 1990, and to make other provisions with respect to civil aviation

BE IT ENACTED by the Parliament of New Zealand as follows:

Note

Changes authorised by subpart 2 of Part 3 of the Legislation Act 2019 have been made in this consolidation. See the notes at the end of this consolidation for further details.

This Act is administered in the Ministry of Transport.

1 Short Title

This Act may be cited as the Civil Aviation Amendment Act 1991, and shall be read together with and deemed part of the Civil Aviation Act 1990 (hereinafter referred to as the principal Act).

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5 Appeal to District Court

(1)

(2) Nothing in subsection (1) of this section affects any right of appeal that was exercisable under the principal Act immediately before the commencement of this Act.

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8 Transitional provisions relating to civil aviation regulations*[Repealed]*

Subsection (1) was amended, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75) by inserting the words “and for the purposes of the principal Act shall be deemed to be regulations made also under that Act”.

Section 8 was repealed, as from 1 April 1997, by section 14(1) Civil Aviation Amendment Act 1991 (1991 No 116).

9 Delegation of functions and powers under civil aviation regulations*[Repealed]*

Subsection (1) was substituted, and subsections (1A) and (1B) were inserted, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75).

Subsection (2) was amended, as from 13 August 1996, by section 33 Civil Aviation Amendment Act 1996 (1996 No 91) by substituting the words “Neither the Authority nor the Director shall” for the words “The Secretary shall not”.

Subsection (3) was amended, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75) by substituting the words “Authority or the Director, as the case may be” for the word “Secretary”.

Subsections (4) and (5) were amended, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75) by substituting the words “Authority or the Director” for the word “Secretary”.

Subsection (6) was amended, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75) by substituting the word “person” for the word “Secretary”. It was further amended by the same provision by substituting the words “that office” for the words “office as Secretary”.

Section 9 was repealed, as from 1 April 1997, by section 14(1) Civil Aviation Amendment Act 1991 (1991 No 116).

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10 Refund of part of fees and charges paid under Civil Aviation Charges Regulations 1990

- (1) Subject to subsection (2) of this section, the Authority shall, without further authority than this subsection, refund to every person who has paid any fee or charge payable under the Civil Aviation Charges Regulations 1990 the difference between—
 - (a) The amount of that fee or charge under those regulations; and
 - (b) The amount of the corresponding fee or charge under the Civil Aviation Charges Regulations 1991.
- (2) No refund shall be payable under subsection (1) of this section in respect of any fee or charge not paid in accordance with the Civil Aviation Charges Regulations 1990.

Subsection (1) was amended, as from 10 August 1992, by section 39 Civil Aviation Amendment Act 1992 (1992 No 75) by substituting the word “Authority” for the word “Secretary”.

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See, as from 20 August 1993, section 35(1) Land Transport Act 1993 (1993 No 88). Section 8(2)(f) Transport Accident Investigation Commission Act 1990 which was amended by section 11(2) of this Act, has been substituted but there has been no formal repeal of this provision in the 1993 amendment.

13 Savings

- (1) Notwithstanding its repeal by section 101(1) of the Civil Aviation Act 1990, section 23 of the Civil Aviation Act 1964 shall continue to have effect until the close of the period of 5 years commencing on the date on which this Act comes into force, as if—
 - (a) That section had not been repealed; and
 - (b) References in that section to the Act were references to the Civil Aviation Act 1990; and
 - (c) References in that section to regulations and Proclamations were references to the Civil Aviation Regulations 1953 and any Proclamations made under the Civil Aviation Act 1964.
- (2) Notwithstanding its repeal by section 101(3) of the principal Act, section 9(3) of the Crown Proceedings Act 1950 (as enacted before the commencement of the principal Act) shall continue to have effect until the close of the period of 5 years commencing on the date on which this Act comes into force, as if that section had not been repealed.
- (3) For the purposes of subsection (2) of this section, if any question arises as to whether the provisions of the Civil Aviation Regulations 1953 have been complied with in the case of any service aircraft, those provisions shall be deemed to have been complied with.

Subsections (1) and (2) were amended, as from 20 August 1993, by section 22 Civil Aviation Amendment Act 1993 (1993 No 90) by substituting the expression “5 years” for the expression “3 years”.

14 Expiry of sections 8 and 9

- (1) Sections 8 and 9 of this Act shall expire with the close of the 31st day of March 1997, and shall, from that date, be deemed to have been repealed.
- (2) The regulations continued in force by, or made under, section 8 of this Act, and all instruments of delegation in force under section 9 of this Act, shall expire with the close of the 31st day of March 1997 and shall, from that date, be deemed to have been revoked.
- (3) All orders, notices, requirements, circulars, and other publications continued in force by section 8 of this Act shall continue in force until the close of the 31st day of March 1997.
- (4) Every act, matter, or thing commenced pursuant to an instrument of delegation in force under section 9 of this Act, but not completed on the expiry of that instrument, may be completed as if that instrument had not expired.

Subsection (1) was amended, as from 20 August 1993, by section 22 Civil Aviation Amendment Act 1993 (1993 No 90) by substituting the expression “5 years” for the expression “3 years”.

Section 14 was substituted, as from 13 August 1996, by section 34 Civil Aviation Amendment Act 1996 (1996 No 91).

Consolidation notes

1 General

This is a consolidation of the Civil Aviation Amendment Act 1991 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 About this consolidation

This consolidation is not an official version of the legislation under section 78 of the Legislation Act 2019.

3 Amendments incorporated in this consolidation

Civil Aviation Act 2023 (2023 No 10): section 487